



Oregon

Governor Kate Brown

Oregon Housing Stability Council

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February 5, 2016

Oregon Housing Stability Council Meeting Minutes

Chair Dickson called the meeting to order at 9:05 a.m. and asked for the roll call.

Roll was called and is reflected in the table below:

Council member	Present	Excused
Mayra Arreola	X	
Tammy Baney	*X	
Mike Fieldman	X	
Zee Koza		X
Marissa Madrigal	X	
Adolph "Val" Valfre	X	
Chair, Aubre Dickson	X	

**Councilmember Tammy Baney joined the meeting by phone.*

Public Comment:

Chair Dickson opened the meeting for public comment.

From the phone:

Mary McCullough (Acorn Park Community for Well-being) Ms. McCullough is still opposed to the project in her neighborhood. She expressed concern about how the project was approved through zoning changes by the city. She recounted second-hand conversations with others in her community.

Director Van Vliet reminded Ms. McCullough that the decision made by the Council is final and that there is no action the Council can take which would reverse the decision or stop the project from proceeding. There is no further action the Council will be taking on this matter.

Josephine Co (Acorn Park Community for Well-being) Ms. Co recounted her experience with the local planning commission office staff. She believes the process has not been transparent in regards to the Oaks project. She believes their voices were not heard and their signatures were ignored.

Director Van Vliet reminded Ms. Co that the decisions of the Council are final and the Council will not be taking any further action on this topic. The decisions Ms. Co is speaking about were made at the local government level and must be addressed with the local government.

From the floor:

Shannon Vilhauer (Habitat for Humanity of Oregon) Ms. Vilhauer expressed her thanks for working with Habitat for Humanity of Oregon to change their loan balance into grant funding. Thank you for your acknowledging their good use of the loan funding. Changing to a grant will allow them to continue their good work. Thank you for your vote of confidence.



Director Van Vliet offered further clarification: the decision Ms. Vilhauer mentioned was an administrative decision made by the Executive Team at OHCS. In March OHCS will brief the Council on the full range of Single Family programs, recent activities and upcoming items.

Anna Geller (Geller, Silvis & Associates) Ms. Geller shared her appreciation for the changes in the Agency and the overall effectiveness of the Agency and the Council in the last 3 years. She expressed her concerns about some of the items which will be considered by the workgroups currently being formed. Ms. Geller wanted to emphasize the importance of having representatives from diverse voices to ensure all concerns are heard.

Councilmember Baney joined the meeting in person at 9:25 a.m.

Chair Dickson asked for further comments from the room, receiving none he closed the public comment period of the meeting.

Draft meeting minutes for approval:

The meeting minutes from the January 8, 2016 meeting were distributed to Council members prior to the January 8, 2016 meeting and edits received were incorporated into the document presented to the Council for approval today. Chair Dickson asked Council members for any questions or additional edits. Receiving none, Chair Dickson then called for a motion to approve the meeting minutes. Councilmember Valfre made the motion and Councilmember Madrigal seconded the motion. Chair Dickson then called for a vote.

February 5, 2016 Meeting Minutes:

Council member	Motion	Yes	Nay	Abstain	Absent
Mayra Arreola		X			
Tammy Baney		X			
Mike Fieldman		X			
Zee Koza					X
Marissa Madrigal	2 nd	X			
Adolph "Val" Valfre	X	X			
Chair, Aubre Dickson		X			

Vote: 6:0:0:1 | PASS

Residential Loan Program Consent Calendar – Julie Cody, Assistant Director, Housing Finance & Lisa Nunnellee, Single Family Section, Residential Loan Specialist

Ms. Nunnellee provided a brief description of the specific loans on the consent calendar and asked for any questions. Receiving none, Chair Dickson then called for the motion.

The motion to approve the Residential Loan consent calendar was made by Councilmember Fieldman and seconded by Councilmember Valfre. Chair Dickson then called for a vote on the motion.

Council member	Motion	Yes	Nay	Abstain	Absent
Mayra Arreola		X			
Tammy Baney		X			
Mike Fieldman	X	X			
Zee Koza					X
Marissa Madrigal		X			
Adolph "Val" Valfre	2 nd	X			
Chair, Aubre Dickson		X			

Vote: 6:0:0:1 | PASS

LIFT Program Design Draft Recommendations – Julie Cody, Assistant Director, Housing Finance

Director Van Vliet invited Councilmember Arreola to provide an overview of some survey and data collection information which United Way of the Columbia Willamette (UW) collected. Councilmember Arreola gave a high-level overview of the survey and data collection done by UW. The survey and data collection was shared with the LIFT Subcommittees as well.

Councilmember Fieldman asked if there was a finding that really jumped out during the data collection.

Councilmember Arreola said there were three things which stood out from the data collection.

1. If the goal of LIFT is to have 50% of the funds serve communities of color, then there needs to be representation throughout the process, including application and program design, application review, and approval..
2. The importance of partnerships between culturally specific organizations, housing developers, and property managers to elevate the importance of the environment in which the families are served.
3. Having an equity lens as an agency is important as well. How do we start at the beginning and not at the end?

Director Van Vliet acknowledged that state government has a lot of work to do to be culturally competent; to have our communication and outreach invite diverse communities to the table. The partnership with United Way and with Councilmember Arreola's leadership could help us set a model for how we use the existing expertise to complement what we do.

Councilmember Baney commented on how well some components align with the local approach in her community. Councilmember Madrigal expressed concern that we also continue to work toward partnering with culturally specific organizations, developers, etc. in our other projects as well. Councilmember Valfre believes the work done by UW lines up well with what the Housing Stability Council is attempting to do as well for communities of color. Chair Dickson expressed his thanks for the report and for Councilmember Arreola's leadership in this good work.

Chair Dickson then invited Julie Cody to the podium to provide an update on the LIFT Framework. Ms. Cody provided an overview of the LIFT Project and the [draft program design recommendations](#) to the Council, as well as the process through the 2016 Legislative Session. Please reference the presentation by clicking [here](#).

At the conclusion of Ms. Cody's presentation, Director Van Vliet made a suggestion about the process for discussion of the LIFT recommendations.

1. Ask any clarifying questions.
2. Invite testimony from those who wish to give it.
3. Deliberate and think about path forward for the LIFT recommendations.

Councilmember Madrigal asked a question about the "ownership structure" (page 11). What is the cost of ownership for the state and how will the expense be covered when it is not covered by the \$40M?

A: Ms. Cody noted that OHCS will hire experienced third-party property management firms to manage the day-to-day operations of the project, including screening tenants, leasing units, and other management tasks. OHCS may charge a small fee to cover the asset management expense incurred by the agency for each project.

Councilmember Fieldman asked a question about “cost containment” (page 15). He noted there is complexity within the criteria. Has there been any thought to standardization for the LIFT process to avoid reinventing legal agreements and other documents for each project?

A: Ms. Cody responded: Yes, the plan is to have a standardized process.

Councilmember Baney asked for some examples of what development will look like from the rural perspective? She noted that there is difficulty with getting projects to work, and asked what the issue is in rural Oregon, whether is it funding, capacity or something else?

A: Ms. Cody responded that OHCS has been looking at the issues in the various rural areas across the state and what the barriers might be for those areas and how best to serve each region/area. OHCS is open to considering small projects from as few as 5 units, to a manufactured community, to tiny homes, to a cottage type lay-outs, or smaller units, or scattered sites in one community. She noted these options depend on land availability.

Councilmember Baney then asked if OHCS would be able to offer technical assistance to the rural communities.

A: Ms. Cody responded that OHCS is working on refining and improving their communication plan and OHCS is also planning a “road-show” for those smaller communities. The overall hope and goal is that the process will be easier than using tax credits.

Councilmember Fieldman asked OHCS to make this process easy so that it is not so daunting to those who are considering applying. We don’t want to throw a party and not have anybody come. Will there be enough applicants? What are you hearing on the street?

A: Ms. Cody responded that we have heard from some developers who are interested. Through the outreach and communication plan OHCS believes we will see interest in the program.

Councilmember Valfre asked: Will OHCS do anything different in reaching out to DHS partners?

A: Ms. Cody responded that we are planning to partner with DHS and their regional directors and how best to reach out.

Chair Dickson opened up the meeting for public comment on the LIFT recommendations.

Shelley Cullen, *Chrisman Development* asked: How does a rural project succeed with a \$32,000 per unit cap? How do you finance these projects?

Councilmember Fieldman responded with: I think this is a good question. He has some of the same concerns about the \$32,000 per unit limit for rural communities.

Christina Kuo, *US Green Building Council* – Ms. Kuo provided the Council with an overview of her organization. Ms. Kuo outlined her organizations recommendations for the LIFT Program. USGBC offered to be a partner in the process and assist OHCS with the LIFT Program. To view the USGBC testimony click [here](#). To view the USGBC policy briefs click [here](#).

Shannon Vilhauer, *Habitat for Humanity of Oregon* – Ms. Vilhauer expressed her appreciation for the work with OHCS has done on the LIFT policy and funding models. She also noted that when one looks at the funding parameters and goals for the LIFT Program it seems to be describing Habitat for Humanity. Habitat for Humanity would like to be at the table and apply for LIFT funds to provide homeownership opportunities through the program.

Anna Geller (Geller, Silvis & Associates) – Ms. Geller served on the LIFT Financial Structuring subcommittee. She believes an important component to consider when implementing the LIFT

Program is actively working toward economic integration rather than economic segregation. She asked how do we reach out to and provide housing to communities of color without creating segregated housing and possibly violating the Fair Housing Act?

Director Van Vliet then provided the Council members with a process reminder for this agenda topic. OHCS would like the Council to talk about, discuss, make suggestions, etc. on the proposal. Today OHCS would like to know from the Council if they think the framework proposal is close, it needs more work, or where you are with the LIFT Program design that has been presented to you.

We will be sharing the LIFT framework with the Legislature in the next few weeks.

Council Discussion and Q&A about the LIFT program framework:

Councilmember Fieldman asked: What happens at the end of the 20-year term, which is the length of the bonds, what is the state's interest then in the property? Who is the owner then?

A: Ms. Cody answered that the department is anticipating that the state would exit the partnership or ownership structure at the end of the 20-year term and the state would then determine whether to reinvest the equity in order to extend affordability on the property, or another options.

Councilmember Fieldman then asked: What are the restrictions? Is there a possibility to look at home-ownership as an option?

A: Ms. Cody answered that we did address this topic in the Policy Subcommittee. To address the possibility of using the bonds for home-ownership there is some work still left to do to address this idea. OHCS plans to address the ownership structure and the use of the XI Q bonds in future iterations of the LIFT program, should they exist.

Councilmember Baney added that OHCS could potentially leverage the work which has been done by Habitat for Humanity and land trust organizations as a model for the LIFT program.

Councilmember Valfre added that there is a need to investigate the idea of a home-ownership model further. Councilmember Valfre also asked about the resources to administer the LIFT program.

A: Ms. Cody answered that this type of money does not come with a lot of other requirements, however if we combine it with other programs that would trigger more requirements.

Director Van Vliet added that OHCS has been encouraged to place a cap on the funds (\$32,000 per unit). The \$32,000 number OHCS landed on is a stretch for our traditional developers, but we know there are other developers out there who are producing affordable housing units with minimal to no subsidy right now and we want to invite them to participate in the LIFT program.

Councilmember Fieldman suggested that OHCS may want to build in some flexibility to the process and criteria.

Councilmember Madrigal asked what model did you use to reach the \$32,000 number? Can you please provide us with the specific modeling so that we can see the numbers ourselves? Chair Dickson also asked to see the model as well.

Chair Dickson also said he believed they all recognize that \$40 million is not a lot of money. It will take some creativity to meet the LIFT challenge.

Ms. Cody added that there were Public Housing Authority members on the subcommittees and OHCS is working to leverage practices from the private sector. OHCS will be testing the waters. She is hoping applicants are willing to get creative.

Councilmember Fieldman asked if using the Article XI-Q Bonds were the best choice? In your perfect world is there a better bond?

A: Ms. Cody responded that we want to figure it out and use it to the fullest potential. OHCS plans to track the plusses and minuses. She hopes the program proves the Article XI-Q Bonds are a good source of funds.

Councilmember Baney – At the end of the day what will success look like? What are we using to measure success for this program? What is our target?

A: Ms. Cody responded that the outcome measures will tell the story. With the help of DHS, OHCS has established some outcomes which will help to measure the success of the program. Ms. Cody and her team will be looking at other models and tools for funding housing in Oregon. Having 1250 units on the ground in 24 months would be a huge success. Staff will also need to do outreach and marketing of the program, including thoughtful thinking about outreach to underserved communities in Oregon; having partnerships come together on the front end of the process to assist underserved communities.

Anna Geller noted, as a member of the Financial Structuring subcommittee that we have support for this program outside of the housing industry from the private sector. The LIFT program is driven more by our colleagues outside of housing. Can we use their expertise with housing as a tool to make an impact? To win, we have to go out and talk to people we have never talked to before. It is important to consider where this current movement has come from.

Councilmember Fieldman observed a technical issue which may cause a real barrier in rural communities: Communities must be under 25,000 in size. We may need to look at adjusting community population criteria. Some very small rural communities do not have any services or jobs, and it would be a mistake to build housing without access to services, transit, or jobs.

Director Van Vliet offered to have OHCS explore the population criteria and how we can serve the rural areas effectively.

Councilmember Baney – how did we arrive at the 25,000 population number?

A: Ms. Cody responded – The number was provided to us by the Governor’s office.

Chair Dickson asked for any additional comments, questions or suggestions. Director Van Vliet asked if we actually need a vote or if we are better served to have the Council ask additional clarifying questions and call out areas the Council would like OHCS to provide more detail or explore further.

A: Ms. Cody responded – does the Council still have open questions? Are there areas the Council wants OHCS to explore further?

Councilmember Fieldman – what is the process from here with the Legislature? What is the focus of the bill?

A: Ms. Cody responded – we have a bill going through the Legislative process and the focus is the LIFT framework. OHCS will most likely be asked to testify before several committees about the specifics of the LIFT program.

Councilmember Fieldman asked: what is the time-frame for the committee hearings?

A: Ms. McIntosh responded that there wouldn’t be any hearings on the program design in the next few days but that it would be expected before the session ends on March 6.

Councilmember Fieldman – in general I think the LIFT framework is moving in the right direction. Some of the specifics need work. Over all concern is that we don't want to throw a party and not have anyone come.

Councilmember Baney asked: Can we give general direction about the LIFT program rather than putting a fork-in-it and getting out ahead of the Legislature. I would be willing to support the framework in general with the ability to provide refinement if necessary.

Councilmember Valfre: will the LIFT framework come back to the Council after the session?

A: Ms. Cody said yes we will bring the LIFT framework back to the Council.

Chair Dickson asked: Will part of the work to refine the framework take into consideration suggestions given through verbal and written comments?

A: Ms. Cody responded that the framework itself is pretty general. What Ms. Cody is looking for from the Council is:

1. Generally is the LIFT framework on track?
2. Are there specific things (i.e. the population criteria, per unit subsidy) that the Council wants to look at to make changes to the framework, so Ms. Cody and her team can focus their efforts on specific areas for refinement?

Chair Dickson requested the model OHCS used to arrive at the \$32,000 per unit subsidy.

Councilmember Fieldman suggested building in flexibility in the model may be something to consider.

Councilmember Baney recommended working directly with Habitat for Humanity to explore alternative models (home-ownership) to use as part of the framework.

Councilmember Fieldman commented that considering home-ownership may be a good discussion point to consider when talking about “true housing stability” for families.

Councilmember Madrigal commented it is important to drill down on the definition of a culturally specific organization and a culturally responsive organization. It is important that we ensure all of our operators are culturally responsive including the culturally specific operators because every building will be multi-cultural. We need the expertise of both. Culturally specific providers can help eliminate specific barriers and create safety and belonging for anyone who comes into the development. Councilmember Madrigal has material she can share with OHCS.

Chair Dickson noted the intent is not to segregate but be culturally responsive. We want to be inclusive and to assist the most vulnerable in our communities.

Councilmember Baney asked whether it make sense for some of the documentation in the LIFT framework to highlight Culturally Responsive and Culturally Specific more so that it does not become a question, making it explicit rather than implied.

Councilmember Arreola noted that to her, the LIFT presentation was more a briefing on where things are going, not looking at the details. Once we agree on where we are going, then we can begin to look at the details and possibly work with new partners. We have a huge opportunity to use the work of the LIFT program to influence the workings of the agency in the future, working and collaborating with other agencies and groups.

Ms. Cody responded – I believe I have what I need from the Council to go and further refine the LIFT framework.

Chair Dickson then asked if we needed to have a motion and vote.

Ms. Cody – we do not need to have a motion.

Ms. Cody also addressed the postponement of the “Current and Future Multifamily Gap Resources” topic to next month. She and her team will provide a report to the Council at the March 4 meeting.

2016 Legislative Short Session – *Rem Nivens, Assistant Director, Public Affairs and Alison McIntosh, Government Relations and Communications Liaison*

Rem Nivens provided an update on the 2016 Session:

We are now in day 5 of the session today.

The main bill for OHCS is SB1582 which is the LIFT program parameters, and it is a Governor’s priority bill. It is the agency’s main focus during the session. We are required to be neutral on all legislation unless otherwise directed by the Governor’s office.

Councilmember Fieldman offered he was part of a group that met with the Senate President Courtney regarding rural housing concerns. As a result of the meeting of this group, President Courtney has a better understanding of housing concerns across the state, not just in Portland.

The opportunity around Housing is tremendous right now.

Ms. McIntosh provided an overview of the other bills OHCS is watching.

SB 1582 (LIFT Program): Ms. McIntosh provided a one-page high-level summary for reference by the Council.

Ms. McIntosh also highlighted the other bills OHCS is tracking related to housing.

Themes:

- Landlord/Tenant law & Tenant protections
 - Increasing the notice period for rent increases from 30 to 90 days
 - Increasing the notice period for no-cause evictions on a two-tiered system
 - Change in retaliation statutes (landlord prove they are not retaliation rather than tenant proving they are retaliating)
- Land use system changes
- Lifting the preemption on inclusionary zoning
- Increase of funding for the Emergency Housing Account, State Homeless Assistance Program, more bonding for preservation of affordable housing.
- Capital gains exemption
- Increase to Document Recording Fee
- Mortgage loan fund (sponsored by Habitat for Humanity)
- Property tax exemption for affordable housing
- Pilot program for General Assistance, for very low income disabled adults

Councilmember Fieldman asked – what is the bill number for property tax exemption legislation?

A: Ms. McIntosh – the bill number is: HB 4081.

Councilmember Madrigal asked – Does the capital gains legislation address the event when an owner sells to a non-profit?

A: It also addresses the sale to a public housing authority.

Director Van Vliet informed the Council that if any of the bills Alison highlighted were to pass it could mean more work for the agency. It could mean we get more money to administer or OHCS may just get additional monitoring duties. We are watching the legislation to make sure OHCS is prepared for any changes which come from the passage of the legislation.

Chair Dickson thanked Mr. Nivens and Ms. McIntosh for their reports. He looks forward to future reports on the short session and legislation.

The Council asked to be informed of when OHCS was asked to testify in committee.

Councilmember Madrigal asked – is there a process by which the Council can offer support of particular legislation?

A: The Council can write a letter which can then be submitted into the public record. If that is something the Council is thinking about doing, then OHCS could help with that.

Councilmember Madrigal thought if the Council could reach a consensus then a letter might be appropriate. I would like to help with that.

Councilmember Baney – we would be well served to support the Governor’s bill.

Director Van Vliet – do you want someone to draft that for you?

Councilmember Baney – yes that would be great. I would like to offer a motion to write a letter in support of the SB 1582, Councilmember Fieldman seconded. Chair Dickson asked all in favor to say Aye. Voting in favor of the motion: Ms. Baney, Mr. Fieldman, Ms. Madrigal, Mr. Valfre and Chair Dickson. Absent and not casting votes: Ms. Arreola and Ms. Koza. The motion passed. OHCS will draft a letter and circulate for approval and signature by the Council members.

Director Van Vliet offered to send the list of bills with numbers and links in OLIS to the Council members. This will allow the Council members to get updates on bill status.

Councilmember Fieldman suggested it would be a good idea to discuss the process for addressing legislation in the future. Do we set aside a portion of the agenda during session for updates? Do we create a legislative subcommittee during session?

Councilmember Madrigal is interested in drafting a letter in support of increasing the tenant notice period for no-cause evictions. She believes this is a key piece of legislation.

Councilmember Baney agreed in theory and concept to increasing the tenant notice period for no-cause evictions as well.

Councilmember Valfre asked for a clarification. How does the notice for rent increases work?

A: *Ms. McIntosh* responded. Her recollection is that fixed-term leases already offer protection from rent increases. But if you have a month-to-month lease you are not protected from rent increases. The bill addresses those renters who are under other lease agreements during the first year. As a point of clarification all of the tenant protections are included in two bills which mirror each other.

Director Van Vliet offered to gather more information about the bill and its provisions and then circle back to the Council with more details.

Councilmember Fieldman offered that as a body the Council can support certain concepts within a bill without supporting the entire bill.

Report from Director Van Vliet

Updates to the Council:

OHCS held the public hearing on the QAP on Tuesday, February 2 and nobody showed up to give testimony. OHCS has received some written comments. We believe we have hit the right balance in the latest version of the QAP based on the feedback received to date. The comment period ends on February 11. We will then bring the 2016 QAP to the Council for formal approval in March and then it will go on to the Governor for signature and then to US Treasury. OHCS will be assisting the Governor's office in forming a steering committee to help with the Homeless Convening to address state-wide strategies on housing and homelessness. The steering committee will be meeting in a few weeks to begin the planning process.

Councilmember Fieldman wanted to encourage that the steering committee have someone with the rural perspective as a participant on the steering committee. He believes this is a viewpoint which needs to be represented.

OHCS leadership participated in the Manufactured Housing Convening in Portland on January 29. The OHCS leadership was also privileged to take a tour of the Palm Harbor factory.

We are out in Oregon communities:

- ✓ Actively involved with a group in Springfield addressing issues with manufactured home parks (Oregon Solutions Project).
- ✓ Helped to convene a forum in Albany on Healthy Communities. Social determinants of health. In partnership with OHA and community health organizations.
- ✓ Workforce housing forum in Waldport – attended and spoke at this event
- ✓ Metro-area Equitable Housing Summit in Portland
- ✓ Affordable Housing Tax Credit Coalition conference in Texas – Margaret spoke Intersection of affordable housing and the QAP
- ✓ Ground Breaking at the NAYA Generations project

We will be in front of the Ways & Means subcommittee next week. We will be presenting on our Key Performance Measures (redesign and update) and we will present on the potential future of Oregon Volunteers (AmeriCorps program administration).

Hardest Hit fund – we are still on stand-by, waiting to hear from the US Treasury.

Agenda projection:

- ◆ We will continue to provide program briefings to deepen your knowledge.
- ◆ A budget process schedule update will be coming soon.
- ◆ Planning retreat once we have the two new members join the Council.
- ◆ May 6th meeting will be in Bend at Discovery Lodge. The Council has been invited to a Ribbon Cutting ceremony in Prineville on May 5th. OHCS is working on the logistics and we will update you as we get closer to the date.

Councilmember Valfre: When will the multifamily NOFA (Multifamily Housing tax credits) go out?

A: Ms. Cody: if everything goes according to plan in March, the NOFA will be issued in May.

Chair Dickson asked about the formation of subcommittees.

A: Ms. Cody informed the Council that her team is working to populate the two subcommittees and that the next step would be to draft the charter for each subcommittee. We plan to hold the first meetings at the end of May.

Report from Chair Dickson

There is a lot of focus on Housing right now from many different quarters. There are good things happening with Meyer, the City of Portland, Metro, the County (Multnomah).

There is a lot of excitement, energy and innovation around housing. It is nice to be at the table during this exciting time. I am looking forward to being a part of the process.

Councilmember Fieldman asked: Is there any way the Housing Stability Council can inform the selection process for the additional council members who will be named in May?

Chair Dickson has informally polled the current Council members about current issues and several members have expressed a desire to have the Governor come and speak to the Council. We want to be clear on the Governor's ideas, vision and goals for the Council. What does the Governor think the role of the Council should be? Who is she looking at to fill the vacancies?

Director Van Vliet has offered to have Chair Dickson and Director Van Vliet meet with Dani Ledezma to put the questions above to her and get her take on having the Governor come to a future Council meeting.

Chair Dickson adjourned the meeting at 11:55 a.m.



03/04/2016

Aubre Dickson, Chair
Housing Stability Council

Date



03/04/2016

Margaret S. Van Vliet, Director
Oregon Housing and Community Services